

JS 44C/SDNY
REV. 12/2005

JUDGE ROBINSON

COPY
CIVIL COVER SHEET

07 CIV. 6049

FILED

JUN 26 2007

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Steven Wohl on behalf of himself and all others similarly situated

DEFENDANTS

Nestle Waters North America, Inc. **USDC WP SDNY**

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Meiselman, Denlea, Packman, Carton & Eberz, P.C.
1311 Mamaroneck Avenue
White Plains, NY 10601 (914) 517-5000

ATTORNEYS (IF KNOWN)

Orloff, Lowenbach, Stifelman & Siegel, P.A.
101 Eisenhower Parkway
Roseland, NJ 07068 (973) 622-6200

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

28 USC 1332, 1367, 1441 & 1446

Allegedly wrongful storage & delivery

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

| TORTS | | FORFEITURE/PENALTY | | BANKRUPTCY | | OTHER STATUTES | |
|---|---|--|--|---|---|----------------|--|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | <input type="checkbox"/> 610 AGRICULTURE | <input type="checkbox"/> 422 APPEAL | <input type="checkbox"/> 400 STATE | | |
| <input type="checkbox"/> 110 INSURANCE | <input type="checkbox"/> 310 AIRPLANE | <input type="checkbox"/> 362 PERSONAL INJURY - | <input type="checkbox"/> 620 FOOD & DRUG | <input type="checkbox"/> 423 WITHDRAWAL | <input type="checkbox"/> 410 REAPPORTMENT | | |
| <input type="checkbox"/> 120 MARINE | <input type="checkbox"/> 315 AIRPLANE PRODUCT | MED MALPRACTICE | <input type="checkbox"/> 625 DRUG RELATED | <input type="checkbox"/> 28 USC 158 | <input type="checkbox"/> 430 ANITRUST | | |
| <input type="checkbox"/> 130 MILLER ACT | LIABILITY | <input type="checkbox"/> 365 PERSONAL INJURY | SEIZURE OF | <input type="checkbox"/> 28 USC 157 | <input type="checkbox"/> 430 BANKS & BANKING | | |
| <input type="checkbox"/> 140 NEGOTIABLE | <input type="checkbox"/> 320 ASSAULT, LIBEL & | PRODUCT LIABILITY | PROPERTY | | <input type="checkbox"/> 450 COMMERCE/ICC | | |
| INSTRUMENT | SLANDER | <input type="checkbox"/> 368 ASBESTOS PERSONAL | <input type="checkbox"/> 630 LIQUOR LAWS | PROPERTY RIGHTS | <input type="checkbox"/> 460 RATES/ETC | | |
| <input type="checkbox"/> 150 RECOVERY OF | <input type="checkbox"/> 330 FEDERAL | INJURY PRODUCT | <input type="checkbox"/> 640 RR & TRUCK | <input type="checkbox"/> 820 COPYRIGHTS | <input type="checkbox"/> 470 DEPORTATION | | |
| OVERPAYMENT & | EMPLOYERS' | LIABILITY | <input type="checkbox"/> 650 AIRLINE REGS | <input type="checkbox"/> 830 PATENT | <input type="checkbox"/> 470 RACKETEER INFLU- | | |
| ENFORCEMENT OF | LIABILITY | PERSONAL PROPERTY | <input type="checkbox"/> 660 OCCUPATIONAL | <input type="checkbox"/> 840 TRADEMARK | ENCED & CORRUPT | | |
| JUDGMENT | <input type="checkbox"/> 340 MARINE | <input type="checkbox"/> 370 OTHER FRAUD | <input type="checkbox"/> 690 OTHER | | ORGANIZATION ACT | | |
| <input type="checkbox"/> 151 MEDICARE ACT | <input type="checkbox"/> 345 MARINE PRODUCT | <input type="checkbox"/> 371 TRUTH IN LENDING | | SOCIAL SECURITY | <input type="checkbox"/> 480 CONSUMER CREDIT | | |
| <input type="checkbox"/> 152 RECOVERY OF | LIABILITY | <input type="checkbox"/> 380 OTHER PERSONAL | LABOR | <input type="checkbox"/> 861 MIA (1395FF) | <input type="checkbox"/> 490 CABLE/SATELLITE TV | | |
| DEFAULTED | <input type="checkbox"/> 350 MOTOR VEHICLE | PROPERTY DAMAGE | <input type="checkbox"/> 710 FAIR LABOR | <input type="checkbox"/> 862 BLACK LUNG (923) | <input type="checkbox"/> 810 SELECTIVE SERVICE | | |
| STUDENT LOANS | <input type="checkbox"/> 355 MOTOR VEHICLE | PRODUCT LIABILITY | <input type="checkbox"/> 720 LABOR/MGMT | <input type="checkbox"/> 863 DIWC (405(g)) | <input type="checkbox"/> 850 SECURITIES/ | | |
| (EXCL. VETERANS) | <input type="checkbox"/> 360 OTHER PERSONAL | <input type="checkbox"/> 385 PROPERTY DAMAGE | <input type="checkbox"/> 730 LABOR/MGMT | <input type="checkbox"/> 863 DIWW (405(g)) | COMMODITIES/ | | |
| <input type="checkbox"/> 153 RECOVERY OF | INJURY | | REPORTING & | <input type="checkbox"/> 864 SSID TITLE XVI | EXCHANGE | | |
| OVERPAYMENT OF | | | DISCLOSURE ACT | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 875 CUSTOMER | | |
| VETERANS BENEFITS | | | <input type="checkbox"/> 740 RAILWAY LABOR ACT | | CHALLENGE | | |
| <input type="checkbox"/> 160 STOCKHOLDERS SUITS | | | <input type="checkbox"/> 790 OTHER LABOR | FEDERAL TAX SUITS | 12 USC 3410 | | |
| <input type="checkbox"/> 190 OTHER CONTRACT | | | LITIGATION | <input type="checkbox"/> 870 TAXES | <input type="checkbox"/> 891 AGRICULTURE ACTS | | |
| <input type="checkbox"/> 195 CONTRACT PRODUCT | | | <input type="checkbox"/> 791 EMPL RET INC | <input type="checkbox"/> 871 IRS-THIRD PARTY | <input type="checkbox"/> 892 ECONOMIC | | |
| LIABILITY | | | SECURITY ACT | 20 USC 7609 | STABILIZATION ACT | | |
| <input type="checkbox"/> 196 FRANCHISE | | | | | MATTERS | | |
| | ACTIONS UNDER STATUTES | PRISONER PETITIONS | | | <input type="checkbox"/> 894 ENERGY | | |
| REAL PROPERTY | CIVIL RIGHTS | <input type="checkbox"/> 510 MOTIONS TO | | | ALLOCATION ACT | | |
| <input type="checkbox"/> 210 LAND CONDEMNATION | <input type="checkbox"/> 441 VOTING | VACATE SENTENCE | | | <input type="checkbox"/> 895 FREEDOM OF | | |
| <input type="checkbox"/> 220 FORECLOSURE | <input type="checkbox"/> 442 EMPLOYMENT | 28 USC 2255 | | | INFORMATION ACT | | |
| <input type="checkbox"/> 230 RENT LEASE & | <input type="checkbox"/> 443 HOUSING | <input type="checkbox"/> 530 HABEAS CORPUS | | | <input type="checkbox"/> 900 APPEAL OF FEE | | |
| EJECTMENT | ACCOMMODATIONS | <input type="checkbox"/> 535 DEATH PENALTY | | | DETERMINATION | | |
| <input type="checkbox"/> 240 TORTS TO LAND | <input type="checkbox"/> 444 WELFARE | <input type="checkbox"/> 540 MANDAMUS & OTHER | | | UNDER EQUAL ACCESS | | |
| <input type="checkbox"/> 246 TORT PRODUCT | <input type="checkbox"/> 445 AMERICANS WITH | <input type="checkbox"/> 550 CIVIL RIGHTS | | | TO JUSTICE | | |
| LIABILITY | DISABILITIES - | <input type="checkbox"/> 555 PRISON CONDITION | | | <input type="checkbox"/> 950 CONSTITUTIONALITY | | |
| <input type="checkbox"/> 290 ALL OTHER | EMPLOYMENT | | | | OF STATE STATUTES | | |
| REAL PROPERTY | <input type="checkbox"/> 446 AMERICANS WITH | | | | <input type="checkbox"/> 890 OTHER STATUTORY | | |
| | DISABILITIES -OTHER | | | | ACTIONS | | |
| | <input type="checkbox"/> 440 OTHER CIVIL RIGHTS | | | | | | |

Check if demanded in complaint:

x CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$unspecified OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)